

Appl. No. 09/905,196
Amdt. dated June 15, 2006
Reply to Office Action of Dec. 15, 2005

REMARKS/ARGUMENTS

1. Claims 15, 25-26, and 33-35 were rejected under 35 U.S.C. § 102(e) as being anticipated by Rangan et al. (U.S. Patent No. 6,154,771). Claim 27 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Rangan et al. (hereinafter "Rangan"). Claims 1-6, 12-13, 16-20, and 30-31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rangan in view of White et al. (U.S. Patent No. 6,804,825 B1). Claims 7, 21, and 28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rangan in view of White et al. (hereinafter "White"), and further in view of Wugofski (U.S. Patent No. 6,201,538 B1). Claims 8 and 22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rangan in view of White, and further in view of Dobronsky et al. (U.S. Patent No. 6,784,900 B1). Claims 9-10 and 23-24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rangan in view of White, and further in view of Cailloux et al. (U.S. Patent No. 6,956,574 B1). Claims 11, 14, 29, and 32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rangan in view of White, and further in view of Wason et al. (U.S. Patent No. 6,701,383 B1). Lastly, claim 25 was rejected under 35 U.S.C. § 112 for having insufficient antecedent basis for use of the term "streamed content" in the last line of the claim. Reconsideration of this application is respectfully requested in view of the amendments and/or remarks provided herein.

Rejection under 35 U.S.C. § 112

2. Claim 25 was rejected under 35 U.S.C. § 112 for having insufficient antecedent basis for use of the term "streamed content" in the last line of the claim. However, the Examiner did not indicate which paragraph of Section 112 formed the basis for the rejection. Nevertheless, Applicants disagree with the Examiner's position regardless of which paragraph of Section 112 formed the basis for the Examiner's rejection.

Claim 25 is an *independent claim* that recites a web page for displaying multimedia content. The web page nonexclusively includes two layers and a player module. The first layer provides a first display screen for displaying a first type of content. The second layer provides a second display screen for displaying a second type of content. The player module manages the

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display of content within the two players responsive to commands embedded in streamed content.

Since claim 25 is an independent claim, all of the terms of claim 25 are originally introduced in the claim. As a result, the term "streamed content" is first introduced in the last line of claim 25. The "streamed content" is simply the content received and played by the player module that contains embedded commands for controlling certain operations of the player module, namely whether the player module displays any content in the first and/or second display screens. As a result, Applicants submit that introduction of the term "streamed content" in the last line of *independent* claim 25 is proper under 35 U.S.C. § 112, second paragraph.

If the Examiner's asserted lack of antecedence is an alleged lack of antecedence in the specification under 35 U.S.C. § 112, first paragraph, Applicants draw the Examiner's attention to Paragraph [0005] of Applicants' published application, wherein Applicants discuss embedded commands in streamed content, such as video, to facilitate the display of text and other content in other screens of the multi-layer, single web page. Applicants submit that Paragraph [0005] of the specification, as well as various other portions of the specification (e.g., paragraphs [0012], [0088], [0266], and [0273]), provide sufficient antecedent support for use of the term "streamed content" in claim 25.

Based on the foregoing, Applicants request that the Examiner withdraw his rejection of claim 25 under 35 U.S.C. § 112 or at least more clearly explain the rationale for the rejection so that Applicants can adequately respond.

Rejections under 35 U.S.C. § 102(e)

3. Claims 15, 25-26, and 33-35 were rejected under 35 U.S.C. § 102(e) as being anticipated by Rangan. Applicants disagree with the Examiner's characterization of the invention recited in claims 15, 25-26, and 33-35 in view of Rangan.

Rangan discloses a player module providing real-time receipt, decompression and play of compressed streaming video and/or hypervideo with thumbnail display of past scenes. Pursuant to Rangan, the player plays streaming hypervideo and/or video from a video-on-demand server. (See col. 21, lines 22-26.) The player module is analogous to digital TV and/or a digital video recorder, but is manifest in a subscriber/user/viewer's web browser page where it plays both

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video and hypervideo. (See col. 19, lines 36-40.) Hypervideo is video that includes embedded objects, referred to as so-called "hotspots." The user can select a hotspot while the video is playing and jump to another video, hypervideo, website, or even initiate a web based transaction, all depending on the links associated with the embedded hotspot object. (See col. 19, lines 40-46; col. 21, lines 27-32.) When the user selects a hotspot, the video effectively pauses in response to the user input allowing the user to hyperlink to other content identified by the hotspot object. (See col. 22, lines 29-40.) The hyperlinked content is then displayed in place of the original hypervideo content. (See FIG. 8.) The user can then return to the point in the original video where the user left off after viewing the supplemental content hyperlinked by the selected hotspot. (See col. 22, lines 29-40.) Rangan's player also detects scene changes in the streaming video and displays thumbnail images (74) for each scene in a portion of the web page below the portion of the web page in which the video or hypervideo (72) is playing. (See FIGs. 2 and 4; col. 22, lines 56-62.) The user may initiate recording of the streaming video from the current play position or from any scene represented by a thumbnail image. (See col. 22, line 66 through col. 23, line 11.) Visual cues are provided in the streaming video to indicate embedded hotspots, which may then be selected by the user to allow the user to hyperlink to the object contained in the hotspot. (See col. 23, lines 12-25.) The player also displays a TV channel menu (73 in FIG. 2) and video controls (71) separate from the hypervideo and the thumbnails. (See FIGs. 2 and 4.)

Therefore, to summarize, Rangan discloses player that plays streamed hypervideo in one portion of a web page and displays thumbnails, a TV channel menu, and video controls in other portions of the web page. The hypervideo contains one or more embedded hotspots, which upon being selected by a user, cause the hypervideo to be effectively paused and other content displayed in place of the hypervideo. However, the hypervideo does not include any embedded commands that control the display of the thumbnails or other non-streamed content. The display of the thumbnails, for instance, is simply controlled by the software of the player detecting scene changes in the streaming video. Rangan does not teach or suggest that the player's display of the thumbnails is controlled by any commands *embedded in* the hypervideo.

Additionally, Rangan does not disclose or suggest that the player manages the display of the hypervideo based on commands embedded within the hypervideo. Instead, Rangan discloses that the player manages the display of the hypervideo based on separate user input (e.g., pausing

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the hypervideo responsive to the user selecting a hotspot, not responsive to a command embedded in the hypervideo). For example, when a user uses a mouse to click on (select) a hotspot, it's the user's selection of the hotspot that causes the object (e.g., website URL) to become activated and it's the player software module that detects the activation and, responsive thereto, pauses the hypervideo. (See col. 25, line 64 through col. 26, line 2; col. 26, lines 42-45.) The hypervideo is not paused, and other video or multimedia content played, automatically simply by the presence of the hotspot in the hypervideo. If the user never selects a hotspot, the streamed hypervideo will continue playing until the streaming stops. Thus, the hotspot in the hypervideo has absolutely no effect until the user selects it.

In order to set forth an anticipation rejection under 35 U.S.C. § 102, the Examiner must show that the reference discloses *each and every* element as set forth in the claim, either expressly or inherently. See M.P.E.P. § 2131. In the present case, the Examiner has failed to show that Rangan discloses each and every element of independent claims 15, 25, and 33, as amended. Support for Applicants' amendments to claims 15, 25, and 33 can be found in, for example, paragraphs [0032] and [0033] of Applicants' published application.

For example, with respect to claim 15, Rangan does not disclose transmitting streamed content (e.g., streaming video) that includes embedded commands which *automatically, without user intervention*, control the display of the non-streamed content within the first display screen in synchronization with playing of the streamed content within the second display screen. Instead, Rangan clearly requires user selection of a hotspot in a hypervideo (i.e., user intervention) before any content associated with the object in the hotspot is displayed. Additionally, the object contained in the hotspot of a hypervideo has no effect on the non-streamed thumbnails and controls displayed by Rangan's player. Rather, Rangan's player generates those displayed items separate and apart from any objects contained in the hypervideo.

With respect to claim 25, Rangan fails to disclose a player module that manages the display of content in first and second display screens *automatically, without user intervention*, in response to commands embedded within the streamed content received by the web page containing the player module. As noted above, Rangan clearly requires user selection of a hotspot in a hypervideo (i.e., user intervention) before any content associated with the object in the hotspot is displayed. In other words, Rangan does not disclose or suggest the automatic

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control of the display of content in multiple display screens based on commands embedded in streamed content.

Finally, with respect to claim 33, Rangan does not disclose a web page containing a player module that *automatically* pauses play of a video *without user intervention* responsive to a pause command embedded in video content. Rather, Rangan clearly discloses that pausing of the hypervideo occurs responsive to user selection of a hotspot or user activation of video play controls. (See col. 22, lines 29-40.)

Therefore, since Rangan fails to disclose, expressly or inherently, each and every element of independent claims 15, 25, and 33, Applicants submit that claims 15, 25, and 33 are not anticipated by Rangan and are in proper condition for allowance. Accordingly, Applicants respectfully request that independent claims 15, 25, and 33 be passed to allowance.

Claims 26 and 34-35 are dependent upon claims 25 and 33, which claims have been shown allowable above. Therefore, at least because claims 26 and 34-35 each introduce additional subject matter that, when considered in the context of the recitations of their respective base claims, constitutes patentable subject matter, Applicants respectfully submit that the recitations of claims 26 and 34-35 are not disclosed or suggested by Rangan or the other cited references. Therefore, Applicants respectfully submit that claims 26 and 34-35 are in proper condition for allowance.

Rejections under 35 U.S.C. § 103(a)

4. Claim 27 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Rangan. Claim 27 is dependent upon claim 25, which claim has been shown allowable above. Therefore, at least because claim 27 introduces additional subject matter that, when considered in the context of the recitations of claim 25, constitutes patentable subject matter, Applicants respectfully submit that the recitations of claim 27 are not disclosed or suggested by Rangan or the other cited references. Therefore, Applicants respectfully submit that claim 27 is in proper condition for allowance.

5. Claims 1-6, 12-13, 16-20, and 30-31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rangan in view of White. In particular, with respect to claim 1, the

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Examiner asserts that Rangan discloses all the steps of Applicants' claimed method, except for including commands in the video content that cause the player to switch the first and second display screens into and out of view within the web page during playing of the video. The Examiner then asserts that White discloses a player module that executes such commands. The Examiner ultimately concludes that the combination of Rangan and White renders Applicants' claim 1 obvious. Applicants respectfully disagree.

As detailed above, Rangan does not disclose any automatically executed commands within transmitted video content. Rather, Rangan discloses an object (referred to as a "hotspot") embedded in video stream. The object may be a link to other content, but it is not self-executing. The hotspot must be selected by a user in order to cause the browser to execute a command related to the embedded object. White does not overcome this deficiency of Rangan.

White discloses a video on demand system in which video is supplied from an entertainment head-end to a client terminal, such as a WebTV terminal. (See Abstract; col. 2, line 58.) The user of the WebTV terminal uses a remote control to select a video for display. (See col. 4, lines 41-43.) Once the selection has been made, a video control panel user interface (UI) is displayed on the screen such that it overlays the screen background. (See col. 4, lines 45-50.) The user can then select the control function from the remote control to play the video. (See col. 4, line 66 through col. 5, line 1.) Based on the selected control function, an instruction is sent to the head-end to deliver the video and the video control panel UI disappears. (See col. 5, lines 2-4.) If, during playback, the user wishes to pause the video, the user presses a "Menu" button on the remote and the video control panel UI reappears allowing the user to select the STOP or PAUSE button. (See col. 5, lines 5-9.)

Thus, while White discloses a mechanism for allowing a user to control operation of an on-demand video using an on-screen control panel, White does not disclose or suggest that any of the instructions or commands for controlling the video or display of the control panel are embedded in the video. As a result, even though White provides a mechanism that allows a control screen to be switched in and out of view by a user through operation of a remote control, the commands for doing the switching come from the user's operation of the remote control and not from commands *embedded in* the video. Therefore, White, like Rangan, fails to disclose or suggest a method for providing a web-based multimedia presentation in which video content is

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transmitted to a user's computer for display as a video, wherein the *video content includes embedded commands*, including commands *which cause the player module to automatically switch the first and second display screens into and out of view within the web page during playing of the video*.

In order to establish a *prima facie* case of obviousness under 35 U.S.C. § 103(a), the Examiner must disclose some suggestion or motivation, either commonly known or explicit in the references, to combine the two references, a reasonable expectation of success resulting from the combination, and the combined reference must teach all of the claim limitations. M.P.E.P. § 2142. In this case, the Examiner has failed to establish a *prima facie* case of obviousness at least because the combined references, Rangan and White, do not teach *all* of the limitations of claim 1, as detailed above. Therefore, Applicants submit that claim 1 is not obvious in view of Rangan and White, and respectfully request that claim 1 be passed to allowance.

Regarding claims 2-6, 12-13, 16-20, and 30-31, such claims are dependent upon claims 1, 15, and 25, which claims have been shown allowable above. Therefore, at least because claims 2-6, 12-13, 16-20, and 30-31 each introduce additional subject matter that, when considered in the context of the recitations of their respective base claims, constitutes patentable subject matter, Applicants respectfully submit that the recitations of claims 2-6, 12-13, 16-20, and 30-31 are not disclosed or suggested by Rangan, White, or any of the other cited references, whether taken alone or in combination. In addition, neither Rangan nor White, nor any of the other cited references, discloses transmission of video content or other streamed content containing *embedded commands* that (i) causes the video or streamed content to *automatically* pause itself (claims 4 and 18), (ii) causes *automatic* display of non-video or non-streamed content while the video or streamed content is paused (claims 5 and 19), wherein the displayed non-streamed content is optionally an interactive advertisement related to the streamed content (claim 20), and/or (iii) provides control of each of a video screen, a menu screen, and a caption screen (claims 12 and 30), as well as a logo screen and an animation screen (claims 13 and 31). Therefore, Applicants respectfully submit that claims 2-6, 12-13, 16-20, and 30-31 are in proper condition for allowance.

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6. Claims 7, 21, and 28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rangan in view of White, and further in view of Wugofski. Claims 7, 21, and 28 are dependent upon claims 1, 15, and 25, which claims have been shown allowable above. Therefore, at least because claims 7, 21, and 28 each introduce additional subject matter that, when considered in the context of the recitations of their respective base claims, constitutes patentable subject matter, Applicants respectfully submit that the recitations of claims 7, 21, and 28 are not disclosed or suggested by Rangan, White, Wugofski, or any of the other cited references, whether taken alone or in combination. In addition, Rangan, White, Wugofski, and the other cited references fail to disclose or suggest transmission of video content or other streamed content containing *embedded commands* that specify or modify screen positions of display screens for the video/streamed content and the non-video/non-streamed content, as recited in claims 7, 21 and 28. Therefore, Applicants respectfully submit that claims 7, 21 and 28 are in proper condition for allowance.

7. Claims 8 and 22 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rangan in view of White, and further in view of Dobronsky et al. (hereinafter "Dobronsky"). Claims 8 and 22 are dependent upon claims 1 and 15, which claims have been shown allowable above. Therefore, at least because claims 8 and 22 each introduce additional subject matter that, when considered in the context of the recitations of their respective base claims, constitutes patentable subject matter, Applicants respectfully submit that the recitations of claims 8 and 22 are not disclosed or suggested by Rangan, White, Dobronsky, or any of the other cited references, whether taken alone or in combination. In addition, Rangan, White, Dobronsky, and the other cited references fail to disclose or suggest transmission of video content or other streamed content containing *embedded commands* that cause *automatic* display of a skin in conjunction with the video (claim 8) or streamed content (claim 22). Therefore, Applicants respectfully submit that claims 8 and 22 are in proper condition for allowance.

8. Claims 9-10 and 23-24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rangan in view of White, and further in view of Cailloux et al. (hereinafter "Cailloux"). Claims 9-10 and 23-24 are dependent upon claims 1 and 15, which claims have

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been shown allowable above. Therefore, at least because claims 9-10 and 23-24 each introduce additional subject matter that, when considered in the context of the recitations of their respective base claims, constitutes patentable subject matter, Applicants respectfully submit that the recitations of claims 9-10 and 23-24 are not disclosed or suggested by Rangan, White, Cailloux, or any of the other cited references, whether taken alone or in combination. In addition, Rangan, White, Cailloux, and the other cited references fail to disclose or suggest transmission of video content or other streamed content containing *embedded commands* that cause *automatic* movement of display screens during play of the video (claim 9) or streamed content (claim 23), including optional incremental movement of the video (claim 10) or streamed content (claim 24) during a specified time period and over a specified path. Therefore, Applicants respectfully submit that claims 9-10 and 23-24 are in proper condition for allowance.

9. Claims 11, 14, 29, and 32 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rangan in view of White, and further in view of Wason et al. (hereinafter "Wason"). Claims 11, 14, 29, and 32 are dependent upon claims 1 and 25, which claims have been shown allowable above. Therefore, at least because claims 11, 14, 29, and 32 each introduce additional subject matter that, when considered in the context of the recitations of their respective base claims, constitutes patentable subject matter, Applicants respectfully submit that the recitations of claims 11, 14, 29, and 32 are not disclosed or suggested by Rangan, White, Wason, or any of the other cited references, whether taken alone or in combination. In addition, Rangan, White, Wason, and the other cited references fail to disclose or suggest *automatic* loading of browser plug-ins on an as needed basis (claims 11 and 29) and/or using different plug-ins to play videos of different formats within a web page without reloading the web page or loading a new web page to play each video (claim 32). Therefore, Applicants respectfully submit that claims 11, 14, 29, and 32 are in proper condition for allowance.

Amendments to the Claims

10. Applicants have herein amended several of the claims to correct minor informalities therein, to broaden or clarify the claims in certain respects, and to make the recitations of dependent claims consistent with amendments made to their respective base

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claims. None of these amendments were intended to narrow the claims in any manner or were made for any purpose related to patentability. Applicants submit that all such claim amendments are fully supported by Applicants' originally filed specification.

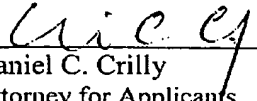
New Claims

11. Applicants have herein added new claims 36-42 directed to additional features of the present invention related to dynamically linking data sets associated with various related multimedia content. Applicants submit that such claims are fully supported by Applicants' originally filed specification and are patentably distinct from the prior art of record. Support for the new claims may be found at least in paragraphs [0035], [0036], [0046], [0066], [0069], [0086], [0119], [0128], [170], [0199], [0209], [0272], [0273] of Applicants' published application. Accordingly, Applicants request that the Examiner pass new claims 36-42 to allowance. With the addition of claims 36-42, forty-two claims remain pending in the present application, five of which are independent. Applicant had previously paid for examination of thirty-five claims, four of which could be independent. Therefore, Applicant has added seven "extra" claims by virtue of the present amendment, one of which is independent. Applicants enclose herewith the fees under 37 C.F.R. § 1.16(h) and 37 C.F.R. § 1.16(i) for examination of the seven newly presented claims.

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12. The Examiner is invited to contact the undersigned by telephone, facsimile or email if the Examiner believes that such a communication would advance the prosecution of the instant application. Please charge any necessary fees associated herewith, including extension of time fees (if applicable and not paid by separate check), to the undersigned's Deposit Account No. 50-1111.

Respectfully submitted,

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